

REMARKS

Claims 41-86, and 88-90 are pending. Claims 41, 44, 46, 52, 55, 58, 61, 64, 67, 71, 78, 79, 80, and 81 are independent claims. Claims 1-40 were previously cancelled without prejudice. Claim 87 is cancelled without prejudice. Claims 55, 82, and 88-90 are amended. No new matter is added. Reconsideration and further examination of the above-referenced application are respectfully requested.

35 USC 112

Claims 41, 46, 52, 55, 58, 61, 68, 71, 76, 81, and 82 stand rejected under 35 USC 112, second paragraph for allegedly being indefinite. The rejection is respectfully traversed.

The Office Action states, "Claims 41, 46, 52, 55, 58, 61, 68, 71, 76, 81, and 82 recite the following limitation 'or', this limitation renders the claim vague and indefinite, because the term 'or' is considered to be alternative language. The Office Action is unclear regarding which "or" allegedly renders the claim vague and indefinite. Regardless, it is respectfully submitted that claims 41, 46, 52, 58, 61, 68, 71, 76, and 81 are not rendered vague or indefinite by the inclusion of "or" in the respective claims.

For example, the recitation "one or more" in claim 41 is long accepted by the Patent Office. Therefore, the recitation "one or more rows and columns", "one or more filter cells", and "one or more data sets" does not render claim 41 vague or indefinite. Claims 46, 52, 58, 61, 71, 76, and 81, where similar recitation appears, are also not rendered vague or indefinite at least for the same reasons.

Further, MPEP, Section 2173.05(h), II states:

Alternative expressions using "or" are acceptable, such as "wherein R is A, B, C, or D." The following phrases were each held to be acceptable and not in violation of 35 U.S.C. 112, second paragraph in *In re Gaubert*, 524, F.2d 1222, 187 USPQ 664 (CCPA 1975): 'made entirely or in part of'; 'at least one piece'; and 'iron, steel or any other magnetic material.'" (Emphasis added).

The recitation, "highlight, color or other image marking," is similar to the recitation, "iron, steel or any other magnetic material." Therefore, the recitations "highlight, color or other image marking" and "highlight, color, or image marking" do not render claim 41 vague or

indefinite. Claims 52 and 82, where similar recitation appears, are not rendered vague or indefinite at least for the same reasons.

Further, it is respectfully submitted that the use of “columns or rows” in claim 46 is clear to one of ordinary skill in the art. Therefore, the recitation “columns or rows” does not render claim 46 vague or indefinite. Claims 52, 55, 58, 61, 68, 71, 76, and 81, where similar recitation appears, are not rendered vague or indefinite at least for the same reasons.

As amended, claim 55 recites, “displaying the sorted data sets in response to one of a character-by-character input or lapse of a preset pause period during which no input character is received.” The amendment to claim 55 obviates the rejection under 35 USC 112, second paragraph.

As amended, claim 82 recites, “further comprising displaying the identified data cells, wherein the identified data cells are graphically displayed via highlight, color or other image marking, and wherein the highlight, color, or image marking is automatically applied to at least parts of the identified data cells that satisfy the filter criteria.” (Emphasis added). The amendment to claim 82 obviates the rejection under 35 USC 112, second paragraph.

Since the claims 41, 46, 52, 58, 61, 68, 71, 76, and 81, as recited, are neither vague nor indefinite, and since the amendments to claims 55 and 82 obviate the rejection under 35 USC 112, second paragraph, it is respectfully requested that the rejection under 35 USC 112 be withdrawn.

Double patenting

Claims 41, 44, 46, 52, 55, 58, 61, 64, 67, 71, and 78-81 stand rejected under 35 USC 101 as allegedly claiming subject matter identical to that of claims 1, 4, 37, and 38 of prior US Patent 6,738,770. The rejection is respectfully traversed.

It is respectfully submitted that the recitation in claims 41, 44, 46, 52, 55, 58, 61, 64, 67, 71, and 78-81 are not identical to that in claims 1, 4, 37, and 38 of US Patent 6,738,770. In this regard, MPEP, Section 804, II, A, states:

35 U.S.C. 101 prevents two patents from issuing on the same invention.
“Same invention” means identical subject matter. *Miller v. Eagle Mfg. Co.*, 151

U.S. 186 (1984); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Ockert*, 245 F.2d 467, 114 USPQ 330 (CCPA 1957).

Claim 41 recites, in part, “automatically inserting filter criteria in at least one of the filter cells in response to a selection of the filter criteria by a user.” Claims 1, 4, 37, or 38 in US Patent 6,738,770 do not recite “automatically inserting filter criteria,” as recited in claim 41. Therefore, the recitations in claim 41 are not identical to those in claims 1, 4, 37, or 31 in US Patent 6,738,770 at least for this reason and the additional recitations that it contains. Accordingly, it is respectfully requested that the rejection of claim 41 under 35 USC 101 be withdrawn.

Claim 46 recites, in part, “displaying, in a window of a display, a plurality of filter cells.” (Emphasis added). Claims 1, 4, 37, or 38 in US Patent 6,738,770 do not recite “a plurality of filter cells,” as recited in claim 46. Therefore, the recitations in claim 46 are not identical to those in claims 1, 4, 37, or 31 in US Patent 6,738,770 at least for this reason and the additional recitations that it contains. Similarly, the recitations in claims 52, 55, 58, 61, 68, 71, 76, 81, and 82 are not identical to those in claims 1, 4, 37, or 31 in US Patent 6,738,770 at least for this reason and the additional recitations that they contain. Accordingly, it is respectfully requested that the rejection of claim 46, 52, 55, 58, 61, 68, 71, 76, 81, and 82 under 35 USC 101 be withdrawn.

A terminal disclaimer is filed in compliance with 37 CFR 1.321 with this document.

35 USC 102

Claims 41-86 and 88-90 stand rejected under 35 USC 102(b) as allegedly being anticipated by Sumita et al. (US 5,907,836), hereinafter “Sumita.” The rejection is respectfully traversed.

Claim 41 recites, “displaying a table comprising a one or more rows and columns of data cells having data that belongs to at least one data set, the table further comprising one or more filter cells configured to receive filter criteria; automatically inserting filter criteria in at least one of the filter cells in response to a selection of the filter criteria by a user; identifying data cells that correspond with the filter criteria in the filter cells; sorting one or more data sets associated with the identified data cells; and displaying the sorted data sets, such that the identified data

cells are displayed contiguously and interposed between non-identified data cells, wherein the data cells are identified, sorted, and displayed in response to the selection of the filter criteria, and wherein the data sets associated with the identified data cells are graphically displayed to a user via highlight, color or other image marking that is different from the highlight, color, or image marking of the non-identified data cells." (Emphasis added).

Sumita describes an information filtering apparatus for selecting articles from a great quantity of text articles that are required by a user or that meet requirements and interests of the user so as to periodically present the selected articles to the user. See, e.g., Sumita, col. 1, lines 9-13. Sumita does not disclose all the features recited in claim 41. In this regard, Sumita does not describe or suggest "the table further comprising one or more filter cells configured to receive filter criteria," as recited in claim 1. In this regard, Sumita states (Sumita, col. 14, line 53 to col. 15, line 2):

The information filtering system is an information supply system which receives text articles containing texts and images supplied from a plurality of information sources 2, such as newspaper publishing companies, news agencies and publishers, to periodically transmit the text articles to subscribed user terminals 3. The information supply service is realized by an information filtering center 1-1.

Sumita describes generating a user profile based on user interests specified by the user and retrieving articles based on the user profile. See, e.g., Sumita, col. 15, lines 23-29. Also, Sumita describes ranking the retrieved articles in decreasing order based on similarity between the retrieved articles and the user profile and storing a result of the ranking operation. See, e.g., Sumita, col. 17, lines 32-50, Fig. 9. As described in Sumita, the table illustrated in Fig. 9 is an example of a result of the ranking process. Neither the table illustrated in Sumita (Sumita, Fig. 9) nor any other portion of Sumita describes or suggests the table further comprising one or more filter cells configured to receive filter criteria, as recited in claim 41.

Furthermore, claim 41 recites, "displaying the sorted data sets, such that the identified data cells are displayed contiguously and interposed between non-identified data cells." As illustrated in Sumita, a retrieved article and information corresponding to the retrieved article, such as caption of article, information source, and year, are displayed to a user. See, e.g.,

Sumita, Figs. 20 and 21. No portion of Sumita describes or suggests displaying the sorted data sets, such that the identified data cells are displayed contiguously and interposed between non-identified data cells, as recited in claim 41. Also, no portion of Sumita describes or suggests "wherein the data sets associated with the identified data cells are graphically displayed to a user via highlight, color or other image marking that is different from the highlight, color, or image marking of the non-identified data cells," as recited in claim 41.

Therefore, Sumita does not describe all the features recited in claim 41. Accordingly, claim 41 is patentable. Claims 42 and 43 are also patentable at least for the same reasons and the additional recitations that they contain.

Claim 44 recites, "displaying, in a window of a display, one or more filter cells and a table including one or more rows and columns of data cells, wherein each data cell includes content that belongs to at least one data set, and wherein each of the data cells is associated with at least one of the filter cells; automatically inserting predefined filter criteria in selected filter cells in response to a user selection; identifying data cells that have content that corresponds with the predefined filter criteria of an associated filter cell; and sorting the data sets associated with the identified data cells." (Emphasis added).

Sumita does not disclose all the features recited in claim 44. In this regard, no portion of Sumita describes or suggests displaying, in a window of a display, one or more filter cells, as recited in claim 44. In addition, as discussed previously, no portion of Sumita describes or suggests automatically inserting predefined filter criteria in selected filter cells in response to a user selection, as recited in claim 44.

Therefore, Sumita does not describe all the features recited in claim 44. Accordingly, claim 44 is patentable. Claim 45 is also patentable at least for the same reasons and the additional recitations that it contains.

Claim 46 recites, "displaying, in a window of a display, a plurality of filter cells and a table including a plurality of rows and columns of data cells, wherein each data cell includes content that belongs to at least one data set, wherein each of the data cells is associated with at least one of the filter cells, wherein each of the columns or rows is associated with a sort

procedure; receiving filter criteria via one or more of the filter cells; identifying data cells that have content that corresponds with the predefined filter criteria of an associated filter cell; sorting the data sets associated with the identified data cells, wherein the sorting is based in part upon at least one sort procedure; and displaying the sorted data sets contiguously and interposed between data sets associated with non-identified data cells." (Emphasis added).

Sumita does not disclose all the features recited in claim 46. In this regard, as discussed previously, no portion of Sumita describes or suggests displaying, in a window of display, a plurality of filter cells, as recited in claim 46. Since Sumita does not describe or suggests displaying a plurality of filter cells, Sumita does not describe or suggest "wherein each of the columns or rows is associated with a sort procedure," "receiving filter criteria via one or more of the filter cells," or "identifying data cells that have content that corresponds with the predefined filter criteria of an associated filter cell," as recited in claim 46. Also, as discussed previously, no portion of Sumita describes or suggests displaying the sorted data sets contiguously and interposed between data sets associated with non-identified data cells, as recited in claim 46.

Therefore, Sumita does not describe all the features recited in claim 46. Accordingly, claim 46 is patentable. Claims 47-51 and 88-90 are also patentable at least for the same reasons and the additional recitations that they contain.

Claim 52 recites, "displaying, in a window of a display, a plurality of filter cells and a table including a plurality of rows and columns of data cells, wherein each data cell includes content that belongs to at least one data set, wherein each of the data cells is associated with at least one of the filter cells, wherein each of the columns or rows is associated with a sort procedure; receiving filter criteria via one or more of the filter cells; identifying data cells that have content that corresponds with the predefined filter criteria of an associated filter cell; sorting the data sets associated with the identified data cells, wherein the sorting is based in part upon at least one sort procedure; and displaying at least the identified data cells, wherein the identified data cells are graphically displayed via highlight, color or other image marking, and wherein the highlight, color, or image marking is automatically applied to at least a part of the identified data cells that satisfies the filter criteria." (Emphasis added).

Sumita does not disclose all the features recited in claim 52. In this regard, as discussed previously, no portion of Sumita describes or suggests displaying, in a window of display, a plurality of filter cells, as recited in claim 52. Since Sumita does not describe or suggest displaying, in a window of display, a plurality of filter cells, Sumita does not describe or suggest “wherein each of the data cells is associated with at least one of the filter cells, wherein each of the columns or rows is associated with a sort procedure; receiving filter criteria via one or more of the filter cells,” as recited in claim 52. In addition, no portion of Sumita describes or suggests “wherein the identified data cells are graphically displayed via highlight, color or other image marking, and wherein the highlight, color, or image marking is automatically applied to at least a part of the identified data cells that satisfies the filter criteria,” as recited in claim 52.

Therefore, Sumita does not describe all the features recited in claim 52. Accordingly, claim 52 is patentable. Claims 53 and 54 are also patentable at least for the same reasons and the additional recitations that they contain.

As amended, claim 55 recites, “displaying, in a window of a display, a plurality of filter cells and a table including a plurality of rows and columns of data cells, wherein each data cell includes content that belongs to at least one data set, wherein each of the data cells is associated with at least one of the filter cells, wherein each of the columns or rows is associated with a sort procedure; receiving filter criteria via one or more of the filter cells; identifying data cells that have content that corresponds with the predefined filter criteria of an associated filter cell; sorting the data sets associated with the identified data cells, wherein the sorting is based in part upon at least one sort procedure; and displaying the sorted data sets in response, wherein the response is a character-by-character input or lapse of a preset pause period during which no input character is received.” (Emphasis added).

Sumita does not disclose all the features recited in claim 55. In this regard, as discussed previously, Sumita does not describe or suggest displaying, in a window of a display, a plurality of filter cells, as recited in claim 55. In addition, no portion of Sumita describes or suggests “wherein each of the columns or rows is associated with a sort procedure,” as recited in claim 55. Also, since Sumita does not describe or suggest displaying, in a window of a display, a plurality

of filter cells, Sumita does not describe or suggest “receiving filter criteria via one or more of the filter cells,” as recited in claim 55. Furthermore, no portion of Sumita describes or suggests “displaying the sorted data sets in response, wherein the response is a character-by-character input or lapse of a preset pause period during which no input character is received,” as recited in claim 55.

Therefore, Sumita does not describe all the features recited in claim 55. Accordingly, claim 55 is patentable. Claims 56 and 57 are also patentable at least for the same reasons and the additional recitations that they contain.

Claim 58 recites, “displaying, in a single window of a display, a plurality of filter cells and a table including a plurality of rows and columns of data cells, wherein each data cell includes content that belongs to at least one data set, wherein each of the data cells is associated with at least one of the filter cells, wherein each of the columns or rows is associated with a sort procedure; sorting the data sets based in part upon at least one of the sort procedures; receiving user-defined filter criteria via one or more of the filter cells within the window; and identifying data cells that have content that corresponds with the user-defined filter criteria of an associated filter cell.” (Emphasis added).

Sumita does not disclose all the features recited in claim 58. In this regard, as discussed previously, Sumita does not describe or suggest displaying, in a single window of a display, a plurality of filter cells. Since Sumita does not describe or suggest displaying, in a single window of a display, a plurality of filter cells, Sumita does not describe or suggest receiving user-defined filter criteria via one or more of the filter cells within the window, as recited in claim 58.

Therefore, Sumita does not describe or suggest all the features recited in claim 58. Accordingly, claim 58 is patentable. Claims 59 and 60 are also patentable at least for the same reasons and the additional recitations that they contain.

Claim 61 recites, “displaying, in a window of a display, a plurality of filter cells and a table including a plurality of rows and columns of data cells, wherein each data cell includes content that belongs to at least one data set, wherein each of the data cells is associated with at least one of the filter cells, wherein each of the columns or rows is associated with a sort

procedure; receiving filter criteria via one or more of the filter cells; identifying data cells that have content that corresponds with the predefined filter criteria of an associated filter cell; computing a sorting priority list, wherein the sorting priority list is based at least in part on the filter criteria; and sorting the data sets associated with the identified data cells based at least in part upon the sorting priority list.” (Emphasis added).

Sumita does not disclose all the features recited in claim 61. In this regard, as discussed previously, Sumita does not describe or suggest displaying, in a window of a display, a plurality of filter cells, as recited in claim 61. Since Sumita does not describe or suggest displaying, in a window of a display, a plurality of filter cells, Sumita does not describe or suggest receiving filter criteria via one or more of the filter cells, as recited in claim 61.

Further, Sumita does not describe or suggest computing a sorting priority list. In this regard, the cited portions of the Office Action (Sumita, Fig. 42, col. 28, lines 44-48) do not describe or suggest computing a sorting priority list. The cited portions describe a flow chart to calculate similarity between a topic and a supplied article, which ensures that all the topics are compared against all the supplied articles. See, e.g., Sumita, Fig. 42. Neither the cited portion nor any other portion of Sumita describes or suggests computing a sorting priority list, wherein the sorting priority list is based at least in part on the filter criteria, and sorting the data sets associated with the identified data cells based at least in part upon the sorting priority list, as recited in claim 61.

Therefore, Sumita does not describe all the features recited in claim 61. Accordingly, claim 61 is patentable. Claims 62 and 63 are also patentable at least for the same reasons and the additional recitations that they contain.

Claim 64 recites, “displaying, in a window of a display, a plurality of filter cells and a table including a plurality of rows and columns of data cells, wherein each data cell includes content that belongs to at least one data set, wherein each of the data cells is associated with at least one of the filter cells, wherein each of the columns or rows is associated with a sort procedure; receiving filter criteria via one or more of the filter cells; identifying data cells that have content that corresponds with the predefined filter criteria of an associated filter cell;

providing a sorting priority list that defines an order for the sort procedures, wherein the sorting priority list is based at least in part upon a number of characters in the filter criteria that are received via the one or more filter cells; and sorting the data sets associated with the identified data cells based on the sort procedures, wherein the sorting is done in the order defined by the sorting priority list.” (Emphasis added).

Sumita does not disclose all the features recited in claim 64. In this regard, as discussed previously, Sumita does not describe or suggest displaying, in a window of a display, a plurality of filter cells, as recited in claim 64. Since Sumita does not describe or suggest displaying, in a window of a display, a plurality of filter cells, Sumita does not describe or suggest receiving filter criteria via one or more of the filter cells, as recited in claim 64.

Further, Sumita does not describe or suggest providing a sorting priority list. In this regard, the cited portions of the Office Action (Sumita, Fig. 42, col. 28, lines 44-48) do not describe or suggest providing a sorting priority list. The cited portions describe a flow chart to calculate similarity between a topic and a supplied article, which ensures that all the topics are compared against all the supplied articles. See, e.g., Sumita, Fig. 42. Neither the cited portion nor any other portion of Sumita describes or suggests providing a sorting priority list that defines an order for the sort procedures, wherein the sorting priority list is based at least in part upon a number of characters in the filter criteria that are received via the one or more filter cells, as recited in claim 64.

Therefore, Sumita does not describe all the features recited in claim 64. Accordingly, claim 64 is patentable. Claims 65 and 66 are also patentable at least for the same reasons and the additional recitations that they contain.

Claim 67 recites, “displaying, in a window of a display, one or more filter cells and a table including one or more rows and columns of data cells, wherein each data cell includes content that belongs to at least one data set, and wherein each of the data cells is associated with at least one of the filter cells; automatically inserting predefined filter criteria in selected filter cells in response to a user selection, wherein the predefined filter criteria have been previously defined in a selected filter cell; identifying data cells that have content that corresponds with the

predefined filter criteria of an associated filter cell; and sorting the data sets associated with the identified data cells.” (Emphasis added).

Sumita does not disclose all the features recited in claim 67. In this regard, as discussed previously, Sumita does not describe or suggest displaying, in a window of a display, one or more filter cells, as recited in claim 67. Further, as discussed previously, Sumita does not describe or suggest automatically inserting predefined filter criteria in selected filter cells in response to a user selection, as recited in claim 67.

Therefore, Sumita does not describe all the features recited in claim 67. Accordingly, claim 67 is patentable. Claims 68-70 are also patentable at least for the same reasons and the additional recitations that they contain.

Claim 71 recites, “displaying, in a window of a display, a plurality of filter cells and a table including a plurality of rows and columns of data cells, wherein each data cell includes content that belongs to at least one data set, wherein each of the data cells is associated with at least one of the filter cells, wherein each of the columns or rows is associated with a sort procedure; sorting the data sets based in part upon one or more of the sort procedures; receiving filter criteria via one or more of the filter cells within the window; and identifying data cells that have content that corresponds with the filter criteria of an associated filter cell.” (Emphasis added).

Sumita does not disclose all the features recited in claim 71. In this regard, as discussed previously, Sumita does not describe or suggest displaying, in a window of a display, a plurality of filter cells, as recited in claim 71. Since Sumita does not describe or suggest displaying, in a window of a display, a plurality of filter cells, Sumita does not describe or suggest receiving filter criteria via one or more of the filter cells within the window, as recited in claim 71.

Therefore, Sumita does not describe all the features recited in claim 71. Accordingly, claim 71 is patentable. Claims 72-77 are also patentable at least for the same features and the additional recitations that they contain.

Claim 78 recites, “a first module configured to display, in a window of a display, one or more filter cells and a table including one or more rows and columns of data cells, wherein each

data cell includes content that belongs to at least one data set, and wherein each of the data cells is associated with at least one of the filter cells; a second module configured to automatically insert predefined filter criteria in selected filter cells in response to a user selection; a third module configured to identify data cells that have content that corresponds with the predefined filter criteria of an associated filter cell; and a fourth module configured to sort the data sets associated with the identified data cells.”

Claim 78 relates to a system corresponding to claim 46 and is patentable at least for similar reasons.

Claim 79 recites, “means for displaying, in a window of a display, one or more filter cells and a table including one or more rows and columns of data cells, wherein each data cell includes content that belongs to at least one data set, and wherein each of the data cells is associated with at least one of the filter cells; means for automatically inserting predefined filter criteria in selected filter cells in response to a user selection; means for identifying data cells that have content that corresponds with the predefined filter criteria of an associated filter cell; and means for sorting the data sets associated with the identified data cells.”

Claim 79 relates to a system corresponding to claim 46 and is patentable at least for similar reasons.

Claim 80 recites, “code for displaying, in a window of a display, one or more filter cells and a table including one or more rows and columns of data cells, wherein each data cell includes content that belongs to at least one data set, and wherein each of the data cells is associated with at least one of the filter cells; code for automatically inserting predefined filter criteria in selected filter cells in response to a user selection; code for identifying data cells that have content that corresponds with the predefined filter criteria of an associated filter cell; and code for sorting the data sets associated with the identified data cells.”

Claim 80 relates to a computer readable medium corresponding to claim 46 and is patentable at least for similar reasons.

Claim 81 recites, “displaying, in a window of a display, a plurality of filter cells and a table including a plurality of rows and columns of data cells, wherein each data cell includes

content that belongs to at least one data set, wherein each of the data cells is associated with at least one of the filter cells, wherein each of the columns or rows is associated with a sort procedure; receiving filter criteria via one or more of the filter cells; and identifying data cells that have content that corresponds with the filter criteria of an associated filter cell.” (Emphasis added).

Sumita does not disclose all the features recited in claim 81. In this regard, as discussed previously, Sumita does not describe or suggest displaying, in a window of a display, a plurality of filter cells, as recited in claim 81. Since Sumita does not describe or suggest displaying, in a window of a display, a plurality of filter cells, Sumita does not describe or suggest receiving filter criteria via one or more of the filter cells, as recited in claim 81.

Therefore, Sumita does not describe all the features recited in claim 81. Accordingly, claim 81 is patentable. Claims 82-86 are also patentable at least for the same reasons and the additional recitations that they contain.

CONCLUSION

In view of the amendments and remarks herein, the Applicant believes that claims 41-86 and 87-90 are in condition for allowance and ask that these pending claims be allowed. The foregoing comments made with respect to the positions taken by the Examiner are not to be construed as acquiescence with other positions of the Examiner that have not been explicitly contested. Accordingly, the arguments for patentability of a claim should not be construed as implying that there are not other valid reasons for patentability of that claim or other claims.

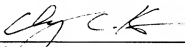
Applicant : John G. Gorman
Serial No. : 10/776,440
Filed : February 10, 2004
Page : 27 of 27

Attorney's Docket No.: 19384-002002

Please apply any charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: December 26, 2006



Cheng C. Ko
Reg. No. 54,227

Fish & Richardson P.C.
PTO Customer No. 20985
Telephone: (858) 678-5070
Facsimile: (858) 678-5099
10669866.doc